

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER UNDERWOOD, LOUIS
OBERLANDER, and HENRY RODRIGUEZ,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

COINBASE GLOBAL, INC.,

Defendants.

No. 1:21-cv-08353-PAE

**[PROPOSED] ORDER TO SHOW
CAUSE FOR A TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

Upon the motion for a temporary restraining order and preliminary injunction supported by the Declaration of Jordan A. Goldstein, sworn to on the 28th day of January 2022, together with the exhibits annexed thereto, the memorandum of law of Plaintiffs Louis Oberlander, Henry Rodriguez, and Christopher Underwood, individually and on behalf of all others similarly situated (“Plaintiffs”), and the pleadings herein, and good and sufficient cause appearing therefore, it is hereby:

ORDERED, that the above named defendant, Coinbase Global, Inc., show cause before a motion term of this Court, at Room ____, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on ____, ____, at ____ o’clock in the ____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Federal Rule of Civil Procedure 65 enjoining the defendant during the pendency of this Action from taking any of the following actions:

- (i) enforcing the proposed User Agreement dated January 25, 2022 (bearing a purported effective date of January 31, 2022) (the “Proposed User Agreement”)

with respect to its dispute resolution provisions (including but not limited to Appendix 5 thereof) to the extent it would apply to the Action;

- (ii) proposing further changes to the dispute resolution provisions of the User Agreement to Plaintiffs and members of the putative Class, to the extent such changes would apply to the Action, without proceeding through Co-Lead Counsel;
- (iii) seeking to enforce the fee and cost shifting provisions in Paragraph 1.7 of Appendix 5 of the Proposed User Agreement in the instant Action; and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of Plaintiffs' application for a preliminary injunction, pursuant to Federal Rule of Civil Procedure 65, the defendant is temporarily restrained and enjoined from:

- (i) modifying, or seeking to modify, the dispute resolution provisions of Defendant's User Agreement presently in effect as it would apply to the instant Action; and it is further

ORDERED that email service of a copy of this order and annexed affidavit upon the Defendant or its counsel on or before _____ o'clock in the _____ noon, _____, _____ shall be deemed good and sufficient service thereof.

DATED: New York, New York

ISSUED: _____

United States District Judge